

PS 8
(8/88)

**UNITED STATES DISTRICT COURT
for the
District of New Jersey**

U.S.A. vs. **Jose A. Melendez**

Docket No. **05-359-01**

Petition for Action on Conditions of Pretrial Release

COMES NOW **Sandra Bravo**, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant **Jose A. Melendez**, who was placed under pretrial release supervision by the **Honorable Mark Falk, USMJ**, sitting in the Court at Newark, New Jersey, on March 15, 2004, under the following conditions:

- \$50,000 unsecured appearance bond cosigned by the defendant's parents
- 24 hour house arrest with electronic monitoring (permitted out for employment, attorney meetings, medical, and court appointments)
- Travel restricted to New Jersey
- Surrender / Do not apply for travel documents

On August 11, 2004, the defendant appeared before the Honorable Mark Falk for a Bail Violation Hearing based on his failure to comply with the conditions of the electronic monitoring program. The hearing was interrupted as a result of activation of the courthouse fire alarm and need for evacuation. On August 11, 2004, following this interruption, the Court asked all involved parties to meet informally to resolve the problem at hand. The parties met, and with the Court's consent, it was agreed that the defendant would stay home for 1 month without permission for employment. Following this period, the defendant would be permitted out to seek employment and to maintain verifiable employment .

On March 4, 2005, a Consent Order was signed by Judge Falk removing the defendant from house arrest with electronic monitoring. All other conditions of release were ordered continued.

On May 10, 2005, the defendant appeared before Your Honor for a plea agreement hearing and is now pending sentencing. The defendant pled guilty to a one count Information, Conspiracy to distribute and to possess with intent to distribute 500 grams or more of cocaine.

Respectfully presenting petition for action of Court and for cause as follows:

1) The defendant was arrested on November 30, 2005 in Roxbury Township, New Jersey following a motor vehicle stop. He was arrested for Possession, Use or Being Under the Influence of CDS; Possession of CDS in Motor Vehicle (suspected to be Ecstasy); traffic

Honorable Dickinson R. Debevoise
U.S. District Judge
District of New Jersey

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violations, including driving while suspended, unsafe lane change, no front plate and cracked windshield; and two open traffic warrants out of Harrison, New Jersey. The defendant posted bail and was released. He is pending an initial appearance in Morris County Superior Court. The arrest and incident reports are attached. The defendant failed to notify Pretrial Services of this arrest.


Pretrial Services has notified Assistant United States Attorney Marc Larkins and Defense Counsel Daniel Welsh of this new arrest.

2) The defendant is required to report to Pretrial Services one time each week; specifically, he is required to telephone report one time weekly and report in person one time monthly. The defendant's reporting has remained sporadic. He often has to be reminded to comply with his reporting schedule. As of this writing, the defendant has not reported in for the week; his last contact was on December 27, 2005 by telephone.

PRAYING THAT THE COURT WILL ORDER a bail violation hearing.

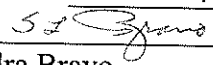
ORDER OF COURT

Considered and ordered this 6th day
of January, 2006 and ordered filed
and made a part of the records in the above
case. *Bail hearing to be held*

Mon. Jan. 23, 2006 at 2:00 P.M.

Honorable Dickinson R. Debevoise
U.S. District Judge
Newark, New Jersey

I declare under penalty of perjury that the
foregoing is true and correct.

Executed
on

1/6/06

Sandra Bravo
U.S. Pretrial Services Officer
Newark, New Jersey 07102